

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE:	:	CHAPTER 13
	:	
TRINA LORRRRAINE BOLYAR,	:	
DEBTOR(S)	:	BANKRUPTCY NO. 08-10378 SR
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TRINA LORRAINE BOLYAR,	:	
PLAINTIFF,	:	
VS.	:	
DARIN BROWNLEE AND JAMES BENSON,	:	ADV. NO. 08-00210
DEFENDANTS.	:	
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**ORDER**

**AND NOW**, upon consideration of the Motion to Dismiss Counterclaims of Defendant Darin Brownlee (the “Motion”) and the Answer of Defendant to Plaintiff’s Motion to Dismiss Counterclaims, and after a hearing with notice, it is hereby **ORDERED** that:

1. The Motion is granted without prejudice.
2. Defendant’s counterclaims are dismissed without prejudice to his filing an answer amending his counterclaims to assert his claims consistent with 11 U.S.C. §523(a)(3). The answer amending Defendant’s counterclaims shall be filed within twenty (20) days of the date of this Order. The failure of the Debtor to file an answer amending his counterclaims within the aforementioned time period, or to obtain an extension of time for cause shown, may result in the counterclaims being dismissed with prejudice.

By the Court:



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Stephen Raslavich  
Chief U.S. Bankruptcy Judge

Dated: March 12, 2009

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Nancy Mulvehill, Courtroom Deputy to Judge Raslavich